COUNTY OF LOS ANGELES - SHERIFF'S DEPARTMENT - SUPPLEMENTARY REPORT

DATE: SEPTEMBER 03, 2001 **FILE NO.:** 001-12326-0661-011

C: MURDER, 187 P.C. **ACTION:** ACTIVE INVESTIGATION/ A.T.F. AGENTS INTERVIEWED

V: [redacted] MW/[redacted]
LOS ANGELES COUNTY DEPUTY SHERIFF
#[redacted] (DECEASED CC#2001-06346)

D: FRIDAY, AUGUST 31, 2001, 0855 HOURS

L: [redacted] BROOK CIRCLE, STEVENSON RANCH

S: BECK, JAMES, ALLEN, MW/04-13-66
(DECEASED CC#2001-06372)

SPECIAL AGENT [redacted] INTERVIEWED

On September 01, 2001 at approximately 1245 Hours, Homicide Investigators, Kevin Lowe and Dan McElderry contacted and interviewed A.T.F. Special Agent, [redacted] (#[redacted]). The following is a summary of the tape-recorded interview:

Agent [redacted] is a group Supervisor for the A.T.F. assigned to the Los Angeles area office ([redacted]). [redacted] and his Agents were investigating Suspect Beck for impersonating a United States Marshall and possession of firearms by a convicted felon. The Agents obtained a federal search warrant to search Suspect Beck's residence located at [redacted] Brook Circle, in Stevenson Ranch. [redacted] was instructed by his Agency not to discuss the Operation Plan with the Investigators.

On August 31, 2001, the Agents gathered at The Old Road and Stevenson Ranch Road to prepare for the "Low risk" warrant service. Surveillance Agents advised that the suspect had not left the location as he usually did on prior days. The Agents devised a plan to respond to the location and serve the search warrant. [redacted] called Santa Clarita station and advised the day shift Watch Commander of the warrant service and requested the Sheriff's assistance. The Watch Commander dispatched a Sergeant and a Deputy to their location. [redacted] instructed the Sergeant to park his marked Sheriff's vehicle in front of the location where it would be seen by the occupants of the house. The Sergeant and the deputy were to stand by as a uniform presence during the search warrant service.

Agent [redacted] led the group of A.T.F. Agents and the two Sheriff's units to the location. [redacted] parked his unmarked green four door Mercury on the south side of Brook Circle facing west, just west of the location. The Sheriff's Sergeant parked his patrol car behind [redacted] followed by two unmarked vehicles, the Deputies patrol vehicle, and one additional unmarked vehicle. The surveillance Agents arrived and parked their two unmarked vehicles on the south side of Brook Circle, facing east, in front of [redacted] car. The Agents set up a containment of the location by sending three Agents to the southwest corner and two Agents to the northeast corner. Three other newly assigned Agents were positioned behind the unmarked vehicle to the extreme west of the location. The entry team, consisting of five agents, one armed with an AR-15 rifle, three armed with MP-5 rifles, and one armed with a 9MM handgun and a ramming device, positioned themselves in front of the location near the garage. [redacted] took a position west of the location looking into the lower front room of the residence. [redacted] was preparing to place a call into the location when he saw Suspect Beck and a female looking at him through the front window. He yelled out to Suspect Beck and the female advising them of the search warrant. The suspect ran through the lower level of the location looking out of the windows, and then ran up the stairs with the female.

The Agents approached the front of the location and the suspect returned to the lower level of the residence and looked out the front window. [redacted] ordered the suspect to come out of the house and again advised regarding the search warrant. The suspect ignored the orders and walked away from the window. The large garage door of the location opened and [redacted] saw a female run out toward the Sheriff's Deputies. The garage door closed and [redacted] walked over to the Deputy's car and contacted the female. The female was unable to provide [redacted] with any information regarding weapons in the house or the suspect's state of mind. [redacted] returned to the front of the location and advised his Agents to force entry into the location.

The Agents climbed over a secured fence surrounding the front porch and rammed the front door several times, but were unsuccessful in gaining entry. One of the Agents removed the front window screen and opened a window to the front room. The Agent pulled aside a mini blind and yelled to the suspect to come out and surrender. The Agent attempted to enter the window when 2-3 gunshots were fired from inside of the location. The Agents forced their way out of the fenced porch area by ramming the secured gate. They retreated to the cars parked on the street in front of the location and took cover.

Agent [redacted] recalled that several minutes passed and then shots rang out from the second story of the location striking the pavement near the marked Sheriff's vehicle he was hiding behind. The shots sounded like they were being fired from a large caliber rifle and [redacted] realized that he and his Agents needed to get away from the front of the location. [redacted] advised his Agents to provide cover fire for him so he and other Agents could move east away from the location. The cover fire started and he was able to safely move behind another vehicle. He then provided cover fire for the other Agents as they moved east to another

vehicle. This continued until [redacted] found himself and Agent [redacted] behind a maroon Ford Explorer.

The gunfire stopped and [redacted] saw a Sheriff's motorcycle unit arriving from the east. The Deputy (Victim [redacted] got off of his motorcycle and ran to the marked Sheriff's vehicle parked east of the maroon Explorer and took cover. Victim [redacted] then moved from behind the Sheriff's vehicle and ran to the Explorer. As the victim ran toward the Explorer, shots were fired from the second story of the location. The Agents returned gunfire toward the second floor.

During the gunfire [redacted] heard Agent [redacted] yell that the victim had been shot. [redacted] saw the victim laying on the street with no cover. [redacted] and [redacted] pulled the victim behind the Explorer and [redacted] started administering aid to the victim. [redacted] saw the critical injury to the victim's head and advised the responding Deputies of the injury. A marked Sheriff's vehicle arrived and Agents and Deputies provided cover fire for [redacted] and [redacted] as they dragged the victim to the Sheriff's vehicle under heavy gunfire from the location. The victim was placed inside the vehicle and transported away from the scene.

Agent [redacted] took a position of cover behind a house east of the location and called into the location. The suspect answered the phone and when [redacted] asked the suspect to come out and surrender the suspect replied "Fuck You" and hung up the phone. [redacted] was relieved from his position after briefing responding Sheriff's Swat Team members of the situation.

Agent [redacted] advised the Investigators that during this incident, he was dressed in soft clothes with a dark blue ballistic vest marked with A.T.F. on the front along with a Federal badge. The rear of the vest was marked A.T.F. Agent. [redacted] was armed with a Government issue Sig-Sauer 9MM pistol. The weapon was examined after the shooting and it was determined that [redacted] fired three rounds from the pistol. Agent [redacted] stated that he injured his left wrist while dragging victim [redacted] to safety. [redacted] was taken to Henry Mayo Hospital where he was treated for a fracture to his left wrist, along with superficial scrapes to both arms.

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SPECIAL AGENT [redacted] INTERVIEWED

On September 01, 2001 at approximately 1450 Hours, Homicide Investigators, Kevin Lowe and Dan McElderry contacted and interviewed A.T.F. Special Agent, [redacted].
The following is a summary of the tape-recorded interview:

Agent [redacted] is a recently hired Agent for the A.T.F. assigned to the Los Angeles area office ([redacted]. Agent [redacted] has no prior Law Enforcement background and has not attended the A.T.F. Academy therefore, he is not authorized to carry a firearm. [redacted] observed this case with his Training Officer, Agent [redacted] He was instructed by his Agency not to discuss the Operation Plan with the Investigators.

Agent [redacted] was aware that Suspect Beck was being investigated for impersonating a United States Marshall and possession of firearms by a convicted felon. A Federal search warrant was obtained for Suspect Beck's residence located at [redacted] Brook Circle, in Stevenson Ranch.

On August 31, 2001, the Agents gathered at The Old Road and Stevenson Ranch Road to prepare for the warrant service. Sheriff Deputies arrived and followed the Agents to the location. [redacted] rode with Supervisor [redacted] to the location and was instructed to take an "Observer" position behind a green Monte Carlo parked west of the location. [redacted] along with Agent [redacted] and Agent [redacted] observed the warrant service from behind the green Monte Carlo. [redacted] saw a team of Agents staging near the garage of the location. The Agents yelled for Suspect Beck to exit the location and identified themselves as A.T.F. Agents with a search warrant. The Agents moved toward the front of the location and climbed over a short fenced in area that secured the front door and a front patio area. The Agents again called for the suspect to exit the location and advised that they were armed with a search warrant. [redacted] recalled that one of the assisting Deputies used the loud speaker of his patrol car to announce that a search warrant was being served at the location and requested Suspect Beck to exit the location. [redacted] saw the large garage door of the location open. A female exited the garage and ran to the Sheriff's Deputies.

The Agents attempted to gain entry into the location by ramming the front door, but were unsuccessful in their attempt. One of the Agents was able to open a front window and look into the location. As the Agent started to enter the window, Hughes heard a gunshot being fired from inside of the location. The Agents yelled "Shots fired" and backed away from the location toward the parked vehicles on the street. Gunfire erupted as the Agents took cover behind the vehicles. Agent Hughes crouched down behind the parked car and took cover.

Agent [redacted] saw a Sheriff's motorcycle unit arrive at the location from the east. The Deputy (Victim [redacted]) got off of his motorcycle and ran toward the A.T.F. Agents. [redacted] heard additional gunfire while the Deputy was approaching. He then heard that someone had been shot and saw the Agents dragging a body from the street to safety. [redacted] later saw a black and white Sheriff's vehicle arrive at the location from the east with all four doors open. Minutes later the Sheriff's vehicle backed away from the location. [redacted] was unable to see what was occurring with the Sheriff's vehicle. [redacted] heard minimal gunfire as the Agents moved east from the location to safer cover.

Agent [redacted] and the other two Agents were pinned down behind the parked car for approximately two hours. [redacted] saw the Sheriff's Swat Team arrive and heard the deployment of "CS" gas and witnessed the smoke from the gas. The Swat Team drove an armored vehicle to his location and safely extracted him and the other two Agents.

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SPECIAL AGENT [redacted] INTERVIEWED

On September 01, 2001 at approximately 1530 Hours, Homicide Investigators, Kevin Lowe and Dan McElderry contacted and interviewed A.T.F. Special Agent, [redacted] ([redacted]). The following is a summary of the tape-recorded interview:

Agent [redacted] is a recently hired Agent for the A.T.F. assigned to the Los Angeles area office ([redacted]). Agent [redacted] has prior Law Enforcement background therefore, he is authorized to carry a firearm. [redacted] has not attended the A.T.F. Academy. [redacted] observed this case along with other newly assigned Agents. He was instructed by his Agency not to discuss the Operation Plan with the Investigators.

Agent [redacted] was aware that Suspect Beck was being investigated for impersonating a United States Marshall and possession of firearms by a convicted felon. A Federal search warrant was obtained for Suspect Beck's residence located at [redacted] Brook Circle, in Stevenson Ranch.

On August 31, 2001, the Agents gathered at a "Chuck E Cheese" restaurant parking area, in Stevenson Ranch to prepare for the warrant service. Surveillance Agents advised that the suspect had not left the location as he usually did on prior days. The Agents devised a plan to respond to the location and serve the search warrant. Sheriff Deputies arrived at the parking lot and followed the Agents to the location. [redacted] rode with Supervisor [redacted] to the location and was instructed to take an "Observer" position behind a green Monte Carlo parked west of the location. [redacted] along with Agent [redacted], and Agent [redacted] observed the warrant service from behind the Monte Carlo. [redacted] saw a team of Agents approach the location and announce their presence. The front door of the location opened briefly and then slammed shut. The Agents yelled for suspect Beck to exit the location and identified themselves as A.T.F. Agents with a search warrant. The Agents moved closer to the front door and again announced their purpose for being at the location. [redacted] saw the large garage door of the location open and saw a female exit the garage and run to the Sheriff's Deputies.

The Agents attempted to gain entry into the location by ramming the front door, but were unsuccessful in their attempt. [redacted] then heard glass break and saw Agents attempting to enter a window near the front door of the location. [redacted] heard a gunshot being fired from inside of the location and someone yelled "Shots fired". The Agents retreated away from the location toward the parked vehicles on the street. Gunfire erupted as the Agents took cover behind the vehicles. [redacted] ducked down behind the parked car near the curb and took cover.

Agent [redacted] saw a Sheriff's motorcycle unit arrive at the location from the east. The motorcycle Deputy (Victim [redacted]) got off of his motorcycle and ran toward the A.T.F. Agents. [redacted] heard an unknown person yell "I'm hit" during the gunfire. He then saw additional Sheriff's patrol units arrive east of the location. [redacted] hid behind the parked car for fear of being shot by the suspect from the second story windows.

Agent [redacted] and the other two Agents were pinned down behind the parked car for 2-3 hours. [redacted] saw the Sheriff's Swat Team arrive and heard the deployment of "CS" gas and flash bangs. The Swat Team drove an armored vehicle to his location and safely extracted him and the other two Agents.

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By: Investigator Kevin Lowe #[redacted]
Investigator Dan McElderry #[redacted] RP [redacted] 09/12/01

Approved by: Lt. Ray Peavy
Assigned: Homicide Bureau

On 08-31-2001 at 1837 hours, Investigators interviewed Deputy **CLARENCE GALLEGOS**, #[redacted] who is assigned to the Special Enforcement Bureau Special Weapons and Tactics Black Team.

Due to time restraints regarding collecting weapons, Deputy Gallegos' weapon used during this operation (a Colt AR-15 rifle) was examined prior to the interview. Deputy Gallegos stated he cleared the weapon upon entering the station and placed the live round of ammunition that had been in the chamber back into the magazine. This Colt AR-15's serial number is SP[redacted] It had a 30-round magazine. This weapon is assigned to the Santa Clarita Valley Sheriff's Station's armory, and the letters and number "SCV-2" are written in white paint across the stock of the rifle. Investigators observed there were 26 live rounds of .223 caliber ammunition in the magazine of the weapon.

Deputy Gallegos has been a sworn peace officer for 14 years. He was assigned to [redacted] and has been assigned to the Special Enforcement Bureau for approximately four years.

Deputy Gallegos advised Investigators that prior to responding to the situation in Santa Clarita Valley, the night before [redacted] He arrived home from that call-out at approximately 0600 hours and had slept for approximately two hours when he was advised of the incident occurring in Santa Clarita Valley. Deputy Gallegos added he has functioned with little or no sleep many times before this incident. Deputy Gallegos stated he felt alert and prepared prior to assisting with this incident. Deputy Gallegos added he was not experiencing any problems either at home or with his work assignment.

Deputy Gallegos stated he responded to the command post from his home, where he met with several Special Enforcement Bureau Gray Team members. The Gray Team members deployed into the rear of Deputy Gallegos' personally owned pickup truck, and he drove them to the location. Deputy Gallegos and other Special Enforcement Bureau team members were briefed by Team Scout Deputy Riggin. Deputy Gallegos was told that ATF agents had attempted to serve a search warrant and made contact with the suspect, who then barricaded himself and fired weapons at the ATF agents and deputy sheriffs. He was further advised that deputies and ATF agents were pinned down by the suspect's fire and were in danger. Deputy Gallegos was told the suspect had a high-powered scoped weapon and gas masks, was possibly a former police officer, and had made statements that he did not want to be taken alive.

Deputy Gallegos was initially deployed one house east of the suspect's location to watch the number 2-3 corner with Deputy David O'Sullivan and Sergeant Kubley. Deputy Gallegos



was subsequently reassigned to the number 4 side of the suspect location with Special Enforcement Bureau team member Deputy Dan Nathan.

Deputy Gallegos heard sporadic shots being fired from the front of the suspect's location (possibly from the upper story) when Deputy Gallegos was approximately two houses east of the location. Deputy Gallegos was staying in radio contact with other team members, which included Deputy Giandomenico and Deputy Levine, who had a visual of the front of the suspect's house. Deputy Giandomenico was returning fire with the suspect and was advising other team members via radio. Deputy Giandomenico also stated he observed the suspect and he appeared to be wearing a black mask, which Deputy Gallegos thought might possibly be a gas mask.

At some point during his deployment, Deputy Gallegos obtained a Colt AR-15 from a Santa Clarita Valley Sheriff's Station sergeant (possibly Sergeant Bomben) after advising the sergeant that he was in need of a high-powered weapon. The sergeant readily surrendered the weapon to Deputy Gallegos.

As Deputies Gallegos and Nathan were approaching their assigned position, they assisted in the rescue and evacuation of several ATF agents, deputy sheriff's, and civilians who were in houses near the suspect's house. As these rescues were being accomplished, Special Enforcement Bureau team members utilized diversionary tactics by deploying several flash-bangs and several tear gas canisters into the rear of the suspect's residence. Several of these tear gas canisters entered into the suspect's house. Throughout this rescue, Deputy Gallegos continued to hear sporadic gunfire that seemed to be emanating from the suspect's residence.

As Deputies Gallegos and Nathan got closer to their assigned deployment area, they observed more ATF agents who needed to be rescued. Deputy Gallegos advised his team leader regarding the need for rescue of ATF agents, as well as civilians. SEB team members again deployed diversionary tactics, including several flash-bangs to the rear of the suspect's residence, as well as introducing tear gas canisters into the suspect's house. Several of these rescue operations involved using the Special Enforcement Bureau's armored vehicle to transport those rescued to a safe area.

Deputies Gallegos and Nathan went into the house next door to (just [redacted] of) the suspect's residence and went into an upstairs room (possibly a computer room) where they could observe the number 4 side of the suspect's residence. Deputy Gallegos observed smoke billowing out of the suspect's house and heard radio traffic on his radio that described the suspect's house as being on fire. Deputy Gallegos also observed tear gas coming out of the suspect's house.



Deputy Gallegos and his partner, Deputy Nathan, were ordered out of the location because of the potential fire hazard. Deputies Gallegos and Nathan evacuated their location. As they were doing so, they heard what sounded like glass breaking at the suspect's residence. They advised other members of their team that no one had a visual on the number 4 side of the suspect's home. Deputies Gallegos and Nathan re-entered the house and went back upstairs (possibly to the computer room) so they could clearly observe the number 4 side of the suspect's house.

Deputy Gallegos formed the opinion, from hearing various radio transmissions on his radio, that the suspect had been predominately upstairs during this incident. At about this time Deputy Gallegos saw the mini-blinds in the window directly across from his location appear to move on the number 4 side of the suspect's house. The suspect shot at Deputies Gallegos and Nathan several times, and both deputies returned fire toward the suspect. Deputy Gallegos never saw the suspect; he just observed where the gunshots were originating. Deputy Gallegos believed either he or Deputy Nathan struck the suspect with rounds from their weapons. Deputy Gallegos stated he fired his weapon because he was in fear for his partner's life, as well as his own life. He was also in fear for the safety of the community if the suspect continued to fire his weapon.

Not wanting the suspect to know their location in the house they were occupying, Deputies Gallegos and Nathan went downstairs to the room directly underneath the room they had previously been standing in. This also allowed them a clear view of the number 4 side of the suspect's house. Deputy Gallegos observed several bullet holes in the glass of the window in the room where they were now standing. Deputy Gallegos continued to hear sporadic shooting from the suspect's home.

Deputies Gallegos and Nathan moved outside of the house they were in, and they continued to hear sporadic gunshots from the suspect's house as the suspect's house burned. Shots appeared to be coming out of the number 2-3 corner window. Deputy Gallegos heard other shots being fired, but he thought possibly the bullets were being heated and exploding. The suspect's house became entirely consumed by fire.

While the house was completely engulfed, Deputy Gallegos observed the front double garage door open for a few minutes and then the garage door closed. Deputy Gallegos had no idea what caused that door to move, whether it was by the control of the suspect or possibly an electrical problem due to the house fire.

Deputy Gallegos was then relieved of his position and he returned to the Special Enforcement Bureau headquarters. Upon his arrival, he was sent back to the Santa Clarita Valley Sheriff's Station to be interviewed by Investigators.